



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Eleftheria Maratos-Flier et al. Art Unit : 1647
Serial No. : 09/159,068 Examiner : Christine Saoud, Ph.D.
Filed : September 23, 1998
Title : REGULATION OF EATING BEHAVIOR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Under 37 CFR §§1.8(b) and 1.181, applicant hereby petitions to withdraw the Notice of Abandonment mailed July 10, 2003 (copy enclosed). The application was abandoned under 37 CFR §1.135 for failure to respond to the Office action mailed November 14, 2002.

The following documents are submitted under 37 CFR §1.8(b)(2) as proof that a Response was timely filed on May 14, 2003:

1. A copy of the response to the Office action, including an executed certificate of mailing signed by Maria Reen on May 14, 2003;
2. A copy of the Petition for Extension of Time, including an executed certificate of mailing signed by Maria Reen on May 14, 2003, which extended the period for responding to the Office action for three months, to and including May 14, 2003;
3. A copy of the check dated May 14, 2003 and postcard dated May 14, 2003 that were included with the response and Petition for Extension of Time; and
4. A copy of the postcard stamped received by the PTO Mailroom on May 16, 2003.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

Applicant : Eleftheria Maratos-Flier et al.
Serial No. : 09/159,068
Filed : September 23, 1998
Page : 2 of 2

Attorney's Docket No.: 10276-014002 / JDP-025CN

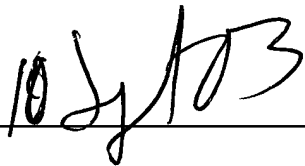
Also enclosed is an original signed declaration under 37 CFR §1.8(b)(3) by Leda Trivinos, attesting on the basis of personal knowledge to the mail procedures in effect on May 14, 2003 and that the above documents were timely filed on May 14, 2003.

The undersigned, applicant's attorney of record, first became aware of the abandonment on July 15, 2003, upon receipt of the Notice of Abandonment and submits that this petition to withdraw the Notice is being promptly submitted as required by 37 CFR §1.8(b)(1).

In view of the foregoing, withdrawal of the Notice of Abandonment is respectfully requested.

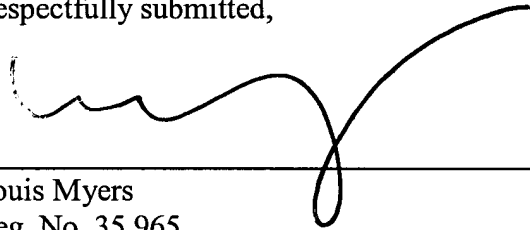
No fee is believed to be due. Please apply any charges or credits to Deposit Account No. 06-1050.

Date: _____



Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

Respectfully submitted,



Louis Myers
Reg. No. 35,965